

THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	}	Case No. 3:16-bk-01316
JOHN LEWIS HENDERSON, JR.	}	
600 DUSAN BLVD, APT. L7	}	Chapter 13
MURFREESBORO, TN 37129	}	
SSN: xxx-xx-8144	}	Judge Keith M. Lundin
Debtor	}	
	}	
JOHN LEWIS HENDERSON, JR.	}	Adv. Case #: 3:16-ap-90121
PLAINTIFF	}	
	}	
v.	}	
	}	
PROSPER MARKETPLACE INCORPORATED	}	
DEFENDANT.	}	

ATTORNEY DECLARATION OF SERVICE

I, James A. Flexer, attorney for the Debtor in the above styled case, hereby certify that on May 11, 2016, I furnished a true and correct copy of the Summons and Notice of Pretrial Conference in an Adversary Proceeding, attached hereto, to the following parties in interest via U.S. mail first class. The notice attached to the declaration of service has been revised to provide for a change of presiding judge and courtroom location for pretrial conference purposes only. It is anticipated a future judge reassignment will occur in this proceeding once a new bankruptcy judge is appointed. The pretrial conference will be held in Courtroom 3, 701 Broadway, Nashville, TN 37203, before Judge Harrison. The pretrial date and time in the Notice remain the same.

Respectfully submitted,

/s/ James A. Flexer

James A. Flexer, BPR #9447

Attorney for Debtor

Law Offices of James a. Flexer

1900 Church Street, Suite 400

Nashville, TN 37203

(615) 255-2893

cm-ecf@jamesflexerconsumerlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2016, I furnished a true and correct copy of the foregoing to the following parties in interest:

HENRY EDWARD HILDEBRAND, III
OFFICE OF THE CHAPTER 13 TRUSTEE
PO BOX 340019
NASHVILLE, TN 37203-0019

Electronic

Sam Crocker, U.S. Trustee
318 Customs House, 701 Broadway
Nashville, TN 37203

Electronic

JOHN LEWIS HENDERSON, JR.
600 DUSAN BLVD, APT. L7
MURFREESBORO, TN 37129

U.S. Mail First Class

Aaron Vermunt
CEO of Prosper Marketplace Inc.
221 Main Street, Suite 300
San Francisco, CA 94105

U.S. Mail First Class

Corporation Service Company
Registered Agent for Prosper Marketplace Inc.
2908 Poston Avenue
Nashville, TN 37203

U.S. Mail First Class

5 notices have been served. I have mailed 3 notices.

/s/ James A. Flexer
James A. Flexer

Respectfully submitted,

/s/ James A. Flexer

James A. Flexer, BPR #9447

Attorney for Debtor

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/s/ James A. Flexer
James A. Flexer

United States Bankruptcy Court
Middle District of Tennessee

In re:

JOHN LEWIS HENDERSON, JR.,

Debtor(s).

Bankruptcy Case No. 16-01316
Chapter 13
Judge LUNDIN

JOHN LEWIS HENDERSON, JR.,

Plaintiff(s)

Adversary
Proceeding No. 3:16-ap90121

v.

PROSPER MARKETPLACE INCORPORATED,

Defendant(s)

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING**

To the Defendant(s): YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
701 BROADWAY, ROOM 170
NASHVILLE, TN 37203

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

NAME AND ADDRESS OF PLAINTIFF'S ATTORNEY:

James A. Flexer
1900 Church Street, Suite 400
Nashville, TN 37203

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF TENNESSEE 701 BROADWAY, SECOND FLOOR NASHVILLE, TN 37203	COURTROOM TWO
	DATE & TIME 6/29/2016 1:30 p.m.

If you fail to respond to this summons, your failure will be deemed to be your consent to entry of a judgment by the bankruptcy court and judgment by default may be taken against you for the relief demanded in the complaint.

To the Plaintiff(s): You must serve this Summons and Notice of Pretrial Conference together with the complaint no later than 7 days after the issuance date shown below. If more than 7 days pass before service is completed, a new summons must be requested and served.

5/6/2016
Issuance Date

/s/ Matthew T. Loughney
Clerk of the Bankruptcy Court

By: /s/ Gail Hall
Courtroom Deputy Clerk



United States Bankruptcy Court
Middle District of Tennessee

In re:

JOHN LEWIS HENDERSON, JR.,

Debtor(s).

Bankruptcy Case No. 16-01316
Chapter 13
Judge LUNDIN

JOHN LEWIS HENDERSON, JR.,

Plaintiff(s)

Adversary
Proceeding No. 3:16-ap90121

v.

PROSPER MARKETPLACE INCORPORATED,

Defendant(s)

PRELIMINARY PRETRIAL ORDER

The party responsible for serving the summons shall, along with the summons, serve a copy of this Preliminary Pretrial Order on all parties.

COUNSEL FOR ALL PARTIES ARE ORDERED to confer with all opposing counsel and pro se parties at least seven (7) days before the pretrial conference, and together prepare in writing and file **no less than five (5) days prior to the pretrial conference**, a **JOINT DOCUMENT**, captioned **"PRETRIAL STATEMENT"** containing the following:

FOR PLAINTIFF

1. A brief statement of each claim or cause of action.
2. A brief summary of plaintiff's contentions of fact in support of each claim or cause of action and the evidence to be relied upon to establish those facts.

FOR DEFENDANT

1. A brief statement of each defense.
2. A brief summary of defendant's contentions of fact in support of each defense and the evidence to be relied upon to establish those facts.

FOR THE INTERVENOR(S), THIRD-PARTY PLAINTIFF(S), (DEFENDANTS), ETC.

1. A brief statement of each claim, cause of action or defense.

2. A brief summary of facts in support of each claim, cause of action or defense, and the evidence to be relied upon to establish those facts.

FOR ALL PARTIES

1. A statement of all admitted or uncontested facts.
2. Each party's brief statement of contested facts.
3. Each party's brief statement of contested legal issues.

All of the above is to be incorporated in one document which is to be signed by all attorneys and pro se parties prior to the filing. **Failure to comply with this order may result in dismissal of the action, default, the assessment of costs and attorneys' fees or other appropriate remedies.**

ORDERED this 6th day of May, 2016.

/s/ KEITH M. LUNDIN
U.S. BANKRUPTCY JUDGE